

### **Amendments to the Drawings**

As reflected in the attached replacement sheets of drawings, Applicants have amended the drawings to include numeric labels in place of the original German labels and English-translated labels. Applicants have also provided clearer drawings, where appropriate.

### **REMARKS**

Applicants' undersigned attorney thanks the Examiner for the Examiner's comments. Applicants respectfully request reconsideration of this patent application, particularly in view of the above Amendment and the following remarks. Currently, Claims 1-43 are pending, with Claims 29-43 withdrawn from consideration.

### **Amendments to the Specification**

Applicants have added a section at the beginning of the Detailed Description of the Preferred Embodiments describing Figures 1-3 with respect to the newly-added numeric labels in these figures. Support for this section is provided in the originally-filed drawings, which contain substantial verbiage.

The abstract of the disclosure has been amended, thereby reducing the abstract to 146 words in a single paragraph.

Applicants found no references to the claims in the Clean Version of the Substitute Specification. If Applicants have mistakenly overlooked any such references to the claims, Applicants respectfully request the Examiner to indicate where these references are.

In response to the Examiner's objection to the inclusion of embodiments "not in accordance with the invention," Applicants respectfully submit that Example 3, spanning paragraphs [0069] through [0073] and including Figure 12, is useful because it is compared to and contrasted with the results of the examples that *are* in accordance with the invention. Thus, Applicants respectfully request the Examiner to withdraw this objection.

### **Amendments to the Claims**

Claims 1-28 have been examined, and no claims have been allowed.

Claim 9 has been amended to exclude the terms "a large volume of water" and "very low pressure."

Claim 11 has been amended to exclude the term "substantially."

Claim 14 has been amended to correct the spelling of the term "element(s)," pursuant to the Examiner's recommendation.

Claim 15 has been amended to exclude "other suitable coating processes."

No new matter has been added by this Amendment. No additional fee is required because the number of independent claims remains unchanged and the total number of claims also remains unchanged.

### **Amendments to the Drawings**

Applicants have amended the drawings to include numeric labels in place of the original German labels and English-translated labels. Applicants have also provided clearer drawings, where appropriate.

### **Claim Rejections - 35 U.S.C. §112**

Claims 9, 11, and 15 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Applicants have amended Claims 9, 11, and 15 by removing the specific terms that have been identified as being indefinite.

In view of this Amendment, Applicants respectfully submit that amended Claims 9, 11, and 15 are not indefinite. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

### **Claim Rejections - 35 U.S.C. §103**

#### **A. Kefferstein**

The rejection of Claims 1-5, 8-15, 18-19, and 26-28 under 35 U.S.C. §103(a) as being unpatentable over Kefferstein (U.S. Patent No. 6,564,604) is respectfully traversed.

In the cited figures of Kefferstein only two examples from the specification are shown, one example with a steel substrate coated with pure zinc, the other coated with galvalume (55% Al, 45% Zn). Kefferstein fails to disclose or suggest a zinc coating in which elements with affinity to oxygen are mentioned.

In contrast, Applicants' claimed invention includes a minor amount (0.1-15 wt%) of such an element, e.g. aluminum, as part of the coating. While heating such a coating, **not zinc oxide** but instead an oxide layer of the added element is built at the surface of the coating, so that the zinc under the element oxide layer is protected by that oxide layer from oxidation. Thus, no zinc oxide occurs, which leads to a zinc layer having outstanding corrosion protection properties.

Kefferstein fails to disclose or suggest any type of protective layer other than zinc oxide.

For at least the reasons given above, Applicants respectfully submit that the teachings of Kefferstein fail to disclose or suggest Applicants' claimed invention. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

**B. Kefferstein in view of Imai et al.**

The rejection of Claim 12 (Claims 6-7, 12-17, and 20-25?) under 35 U.S.C. §103(a) as being unpatentable over Kefferstein as applied to claim 1 above, and further in view of Imai et al. (WIPO Publication No. WO 03/0335922) is respectfully traversed.

As explained above, Kefferstein fails to disclose or suggest a method for producing a hardened profiled structural part from a hardenable steel alloy with cathodic corrosion protection using a zinc coating with a minor amount of an element having affinity to oxygen.

As further explained above, Applicants' claimed invention includes heating such a coating, which results in an oxide layer of the added element forming at the surface of the coating such that the zinc under the element oxide layer is protected from oxidation by that oxide layer. Since no zinc oxide occurs, the zinc layer has outstanding corrosion protection properties.

Imai et al. fails to overcome the deficiencies of Kefferstein. In particular, neither Kefferstein nor Imai et al., alone or in combination, disclose or suggest a method of forming a very thin protective layer that is not zinc oxide.

For at least the reasons given above, Applicants respectfully submit that the teachings of Kefferstein in view of Imai et al. fail to disclose or suggest Applicants' claimed invention. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

**Conclusion**

Applicants intend to be fully responsive to the outstanding Office Action. If the Examiner feels that any issues remain regarding this Amendment, then Applicants' undersigned attorney would like to discuss the case with the Examiner. Applicants sincerely believe that this Patent Application is now in condition for allowance and, thus, respectfully request early allowance.

Applicants believe no fees are due with respect to this filing. However, should the Office determine additional fees are necessary, the Office is hereby requested to contact the undersigned to arrange for payment.

Respectfully submitted,

/Melanie I. Rauch/

**SIGNATURE OF PRACTITIONER**

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